

Application Serial No. 10/675,088
Reply to office action of September 6, 2007

PATENT
Docket: CU-3336

REMARKS/ARGUMENTS

This amendment is being filed with a Request for Continued Examination under 37 C.F.R. 1.114 and a petition and fee for a one-month extension of time in which to respond. The Commissioner is authorized to charge the Ladas & Parry LLP deposit account 12-0400 the large entity fees for both the RCE and the one-month extension of time.

In the office action that was mailed September 6, 2007, the drawings were objected to as not showing the "corresponding receptacle" that receives the second guiding member, which is recited in claim 16.

Claim 13 was rejected under 35 U.S.C. §112, ¶1 as being unsupported by the written description. The Examiner said that there is no support in the specification for the claim 13 limitation that recites a "main body [having] a corresponding receptacle into which the second guiding member is received." The Examiner asked that the limitation be removed from claim 13 or point out where the "corresponding receptacle" limitation is supported in the specification.

Claims 1, 3-11, 13, 16 and 18-21 were rejected under 35 U.S.C. §112, ¶2 as being indefinite because claim uses the term, "at least one of," followed by a recitation of "at least one guiding member" and "a convex seating guide," which the Examiner said was confusing. The Examiner said it was unclear whether the second option for the claim included the limitation of the guiding member and a mating seating guide.

Claim 16, which depends from claim 1, was cited as including a limitation directed toward a convex seating guide that was not positively recited in claim 1. Claim 16 was therefore considered to be indefinite.

Application Serial No. 10/675,088
Reply to office action of September 6, 2007

PATENT
Docket: CU-3336

Claims 1, 3-7, 10-11, 13, 16 and 18-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of U.S. patent D493,587 to Downey et. al and U.S. patent 5,524,321 to Weaver et al.

Claims 8 and 9 were rejected as being unpatentable over *Downey* and *Weaver* in view of U.S. patent 6,859,975 to Ohta et al.

In response to the office action, the applicant has amended claim 1 such that it overcomes the drawing rejection and to avoid the *Downey*, *Weaver* and *Ohta* references. Since the limitations added to claim 1 were found in original claims 13, claim 13 has been cancelled.

Paraphrased, amended claim 1 recites that the "connecting portion" of the frame assembly, which is identified in the figures by reference numeral 155, includes first and second convex and substantially hemispherical guiding members. They are claimed as protruding upwardly from the connecting portion of the vacuum cleaner. The claim also recites a "convex seating guide."

Support for the amendments to claim 1 can be found in the figures. The convex and substantially hemispherical guiding member is identified in the figures by reference numeral 199. The convex seating guide is identified in the figures by reference numeral 250. Additional support can be found in the specification on page 13, line 13 through line 8 of page 14. No new matter has been added.

With regard to *Weaver*, the structure identified by reference numeral 204 might be asserted as corresponding to a convex guiding member or a convex seating guide, however, claim 1 also requires that there be two guiding members and that they be convex and substantially hemispherical. In addition to requiring two convex and

Application Serial No. 10/675,088
Reply to office action of September 6, 2007

PATENT
Docket: CU-3336

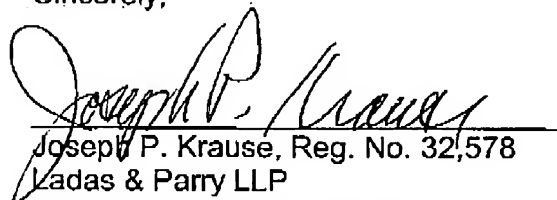
substantially hemispherical guiding members, amended claim 1 also requires that the seating guide also be convex.

No reference or combination of references shows or suggests two, convex and substantially hemispherical guiding members. No reference or combination of references show the two guiding members and a convex seating guide.

Since no reference or combination of references shows or suggests each and every one of the limitations of claim 1, the claim is in condition for allowance. Since claim 1 is in condition for allowance, claims that depend from claim 1 are *also* in condition for allowance. Reconsideration of the pending claims is therefore respectfully requested.

Sincerely,

Dated: December 18, 2007


Joseph P. Krause, Reg. No. 32,578
Ladas & Parry LLP
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300